



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Rueger et al.
 ASSIGNEE: Creative BioMolecules, Inc.
 SERIAL NUMBER: 08/937,756 EXAMINER: S. Turner
 FILING DATE: September 25, 1997 ART UNIT: 1647
 FOR: MORPHOGEN-INDUCED NERVE REGENERATION AND REPAIR

June 29, 2001

Boston, Massachusetts

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Box DAC

Assistant Commissioner for Patents
Washington, D.C. 20031OFFICE OF PETITIONS
DEPUTY A/C PATENTS

**PETITION FOR REVIVAL OF AN UNINTENTIONALLY-ABANDONED
PATENT APPLICATION UNDER 37 C.F.R. 1.137(b)**

The present petition is filed in response to the Notice of Abandonment mailed June 19, 2001. The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed September 25, 2000, which set a six-month period for response. The abandonment date of this application is March 26, 2001.

APPLICANTS HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Proposed response and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee (required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. **Petition fee:**

- Small entity – fee \$620.00 (37 C.F.R. 1.17(m)) is enclosed herewith.
- Small entity statement enclosed herewith.
 - Small entity statement previously filed.
- Other than small entity – fee \$ _____ (37 C.F.R. 1.17(m)).

2. **Proposed response and/or fee:**

- Response to Office Action which resulted in abandonment is enclosed herewith.

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3. Terminal disclaimer with disclaimer fee:

- A terminal disclaimer equivalent to the number of months from abandonment to the filing of this petition (and disclaimer fee of \$55.00 (37 C.F.R. §1.20(d)) for a small entity) is enclosed herewith.
- Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

4. Statement:

The entire delay in filing the required reply from the due date until the filing of the present petition was unintentional (37 C.F.R. §1.137(b)(3)).

5. Enclosures:

- Response
- Revival Petition Fee
- Terminal Disclaimer Form and Fee
- Small Entity Form
- Others:

The Commissioner is hereby authorized to charge any additional fees that may be due, or to credit any overpayment, to Account 50-0311, Ref. No. 00960-504.

Respectfully submitted,



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Dated: June 29, 2001

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